

DEPARTMENT OF ENERGY
Western Area Power Administration
Finding of No Significant Impact
Spring Canyon Wind Project
(formerly known as The Peetz Table Wind Project)

Summary -- Spring Canyon Energy, LLC (SCE), applied to the Department of Energy (DOE), Western Area Power Administration (Western) to interconnect the Spring Canyon Wind Project (formerly known as The Peetz Table Wind Project), a proposed wind power development in Logan County, Colorado, to Western's existing Sidney to North Yuma 230-kV transmission line. All financial responsibility for the Spring Canyon Wind Project would be borne by SCE.

The environmental assessment (EA) entitled "Spring Canyon Wind Project, Logan County, Colorado *formerly known as The Peetz Table Wind Project*" (DOE/EA-1521) was distributed for public comment and agency review on May 13, 2005. The EA was revised based on comments received and the EA was approved in June 2005. Based on the EA, Western has determined that the proposed Spring Canyon Wind Project would not result in significant impacts and the preparation of an environmental impact statement (EIS) will not be required. The basis for this determination is described in this Finding of No Significant Impact (FONSI).

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Copies of the EA and FONSI are available from the person named above. For general information on DOE National Environmental Policy Act (NEPA) activities contact:

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Purpose and Need -- SCE applied to interconnect with Western's transmission system, and Western must respond to SCE's request. In responding to this request, Western will apply the terms and conditions of its Open Access Transmission Tariff and Interconnection Guidelines. Western's decision is limited to deciding if the specific wind project proposed by the applicant can be interconnected with Western's transmission system. Western's approval of this interconnection would enable the Spring Canyon Wind Project to proceed.

The primary purpose of the Spring Canyon Wind Project is to provide wind-generated electricity from a site in Colorado to meet customer demand for inexpensive energy from renewable energy resources. The project also would meet the demand for renewable energy resources created by the recent successful ballot initiative in Colorado requiring utilities to generate 10 percent of the State's energy from renewable resources by 2015.

Project Description -- Under the proposed action, Western would execute an interconnection agreement to allow connection of the wind project to Western's existing Sidney to North Yuma 230-kV transmission line. The proposed SCE connected actions analyzed in the EA include the following:

1. A wind power facility with up to 87 1.5- or 72 1.8-MW wind turbines, producing an average output of 49 MW. Each turbine would be about 400 feet tall and sit on an operations footprint of about 40 square feet.
2. An underground collection system that would collect energy generated by the wind project and transmit it to a new substation at the connection to Western's Sidney to North Yuma transmission line. SCE's collection system would consist of individual collection lines from the turbines to pad-mounted transformers near each turbine's base. Collection lines would be buried in trenches between the transformers and SCE's new substation.
3. Approximately 1 mile of 34.5-kV overhead collection line.
4. A new substation to be located at the intersection of County Roads 57 and 74 (SESE, Section 35, T12N, R51W) that would step-up 34.5-kV power from the collection system to 240-kV power for delivery to the Sidney to North Yuma transmission line.

SCE would construct and operate the 130-MW wind energy facility on privately-owned land on Peetz Table, east of Peetz, in Logan County, Colorado. Phase I would consist of about 60 MW to be constructed in 2005. The size and timing for the construction of subsequent phases is not known at this time, but the entire 130-MW project is evaluated in the EA. Although the project would have an installed capacity of 130 MW, it is expected to operate at about 38 percent capacity resulting in an average output of about 49 MW. SCE obtained, or will obtain, leases from private landowners to construct and operate the wind project. The project footprint (i.e., the area to be disturbed during construction and throughout the 40-year life-of-project) would be limited to the areas immediately adjacent to turbines and access roads.

The EA also analyzes cumulative impacts of the project in conjunction with long-standing agricultural activities in the area, another wind project (about 35 turbines) in the area, transportation infrastructure, local economics, water development, and Western's Sidney to North Yuma transmission line.

The Public Process -- To allow an early and open process for determining the scope of issues and concerns related to the proposed action (40 C.F.R. 1501.7), the public was notified of the project by Western. Western notified Federal and State agencies, county government, Native

American tribes, and affected landowners of its determination to prepare an EA and invited comments. Notification letters were dated January 6 and 10, 2005. Western received responses from the following tribes and agencies: Oglala Sioux Tribe, Comanche Tribe of Oklahoma, U.S. Fish and Wildlife Service (USFWS), Colorado State Historic Preservation Office (SHPO), and the Logan County Commissioners. Western also received responses from eight landowners. Western consulted with the USFWS and Colorado Division of Wildlife (CDOW). All correspondence from State and Federal agencies and Tribal governments is available. Comments received on the EA have been incorporated and considered in this determination on whether or not to prepare an EIS.

Western completed consultation with the SHPO to meet its obligations under the National Historic Preservation Act (NHPA, 16 U.S.C. 470 et seq., 2000). The Colorado SHPO concurred on May 18, 2005, with Western's determination of "no historic properties will be affected." Western has met its obligations under the Endangered Species Act (7 U.S.C. 136; 16 U.S.C. 460 et seq. 1973). The USFWS concurred in a Biological Opinion on June 7, 2005, with Western's determinations for threatened or endangered species.

Alternatives -- DOE's NEPA regulations require that an EA include a discussion of the no action alternative (10 C.F.R. 1021.321(c)). Western will either approve SCE's request for interconnection or deny the request and choose the no action alternative. The no action alternative provides a baseline against which the effects of the proposed action may be compared. The site-specific and direct impacts associated with the proposed Spring Canyon Wind Project would not occur in the project area if the project does not go forward.

Environmental Impacts -- Western's conclusions about the proposed project's environmental impacts are based on information contained in the EA issued in June 2005. The EA is available upon request. In reaching conclusions about the proposed project's environmental impacts, Western has considered the proposed project, which explicitly incorporates Western's Standard Construction, Operation, and Maintenance Practices; and SCE's Applicant-committed Mitigation Measures (collectively, environmental protection measures).

The existing environment and potential environmental impacts were identified and evaluated for the following resources:

- Climate and air quality
- Geology, paleontology, and soils
- Water resources
- Floodplains and wetlands
- Vegetation
- Wildlife
- Special status and sensitive species
- Cultural resources
- Land use, transportation, and recreation
- Public health and safety
- Noise
- Visual resources

- Socioeconomics and environmental justice

Based on the EA, Western has concluded that, with the environmental protection measures proposed for the project, the construction and operation of the proposed Spring Canyon Wind Project would not require mitigation beyond that already proposed by Western and SCE. Western prepared a Mitigation Action Plan, which will be made available upon written request.

The basis for Western's conclusions about the proposed Spring Canyon Wind Project impacts to these resources is summarized below.

Climate and air quality: The project would not affect climate. Possible adverse impacts to air quality would occur during construction and operation due to short-term increases in particulates (e.g., dust from excavation and vehicle traffic), and tailpipe emissions from construction and operations vehicles. During operation, using wind power instead of burning fossil fuels to generate electricity would have beneficial impacts on air quality because greenhouse gases and other pollutants emitted by conventional fossil fuel combustion would not be produced. This is more of a national benefit as there is no actual replacement of fossil fuel generated power in the area. The term "beneficial" is used to describe the favorable impact of using a nonpolluting resource to generate electricity; it does not reflect any proactive clean-up to improve air quality. Operation also would result in small amounts of dust and tailpipe emissions from Operation and Maintenance (O&M) vehicle traffic. It is not anticipated that any State or Federal air quality standards would be exceeded due to the construction or operation of the project and potential adverse impacts to air quality would not be significant. The project is expected to be in compliance with National Ambient Air Quality Standards. Western has concluded that no direct, indirect, or cumulative significant impacts to air resources would occur from the construction and operation of the proposed Spring Canyon Wind Project.

Geology, Paleontology, and Soils: There are no known metallic, gravel, or sand deposits in the project area. Impacts to fossils could include the inadvertent destruction of scientifically important fossils due to excavation or vandalism. Potential adverse impacts to soils include increased erosion from runoff due to compaction and loss of vegetation and possible impacts caused by fuel spilling from construction equipment. Western has concluded that the proposed Spring Canyon Wind Project would not cause a direct, indirect, or cumulative significant impacts to geology, paleontology, or soil based on the environmental protection measures proposed, the lack of known mineral deposits in the project area, and the small project footprint (and thus the small potential to impact scientifically important fossils).

Water Resources: Construction of the Spring Canyon Wind Project has the potential to degrade water resources due to erosion and fuel spills. However, considering the topography and distances to water resources, avoidance of water resources during project planning, requirements for securing a permit to discharge storm water runoff, and the environmental protection measures proposed for the project, Western has concluded that no direct, indirect, or cumulative significant impacts to surface water would occur. Based on depth to ground water (greater than 35 feet deep), proper fuel handling and storage, and appropriate spill contingencies as specified by the environmental protection measures, no significant impact to groundwater resources would occur during construction or operation of the proposed project.

Floodplains and Wetlands: Since no floodplains or wetlands would be impacted by the proposed Phase 1 project, and since SCE would use environmental protection measures to prevent sedimentation in downstream floodplains, Western has concluded that the Phase I project would not cause direct, indirect, or cumulative significant impacts to floodplains or wetlands. Future phases would be designed to minimize impacts to floodplains and wetlands, and Western would, again, evaluate the potential for significant impacts.

Vegetation: Construction and installation of project facilities would cause temporary and permanent loss of vegetation. Most disturbed areas would be reclaimed and revegetated, with about 69 acres remaining occupied by roads, turbine foundations, and facilities for the life-of-project. The project would not impact any riparian vegetation. Weed infestations would constitute an adverse effect, but SCE would take measures so that impacts from weeds would be minimal. No tree removal is anticipated. Based on this analysis and the proposed environmental protection measures described in the EA, Western has concluded that the proposed Spring Canyon Wind Project would not cause direct, indirect, or cumulative significant impacts on vegetation.

Wildlife: Impacts to wildlife are expected to be minimal because the land is primarily agricultural and is subject to regular human activity from farming and ranching activities. Construction activities may cause direct impacts to individuals of less-mobile species through direct mortality. Human activity and vegetation loss could cause displacement from habitat, but forage distribution has already been substantially altered by agricultural activities, and the footprint of the wind project likely would be unnoticeable within this larger agricultural management system. Bats may be impacted due to collision-related mortality, but none of the bats species that occur in the area are protected by State or Federal law. Considering the predominantly agricultural nature of the project area and the environmental protection measures that would be implemented with the proposed project, Western has concluded that no significant direct, indirect, or cumulative impacts to wildlife would occur due to construction of the Spring Canyon Wind Project.

Operation of the project would increase the potential for avian mortalities due to collisions with project facilities (e.g., wind turbines, substation, meteorological towers), and electrocution by above-ground electric facilities (i.e., about 1 mile of overhead collection lines). The project avoids topographic and biological features that are known to attract birds (i.e., Spring Canyon and black-tailed prairie dog colonies), and other ecological attractants (e.g., low passes, large wetlands, riverine systems) do not occur in the project area. In addition, SCE would use state-of-the-art turbine technology which features tubular towers and slow-rotating blades which reduce potential for collisions, compared with older technologies. The effectiveness of the siting measures would be evaluated through a monitoring program to be developed in consultation with the USFWS and the CDOW. The monitoring effort would provide post-construction data to the USFWS and CDOW for future planning of wind energy projects. Based on the siting and design considerations and the implementation of the monitoring program, Western has concluded that the operation of the proposed project would cause little or no declines in avian populations; thus, there would be no direct, indirect, or cumulative significant impacts.

The 1 mile of overhead collection line would be designed to avoid collisions and electrocution in accordance with Avian Power Line Interaction Committee guidelines. Thus, the overhead collection line would not cause direct, indirect, or cumulative significant impacts.

Special Status and Sensitive Species: The Federally-listed bald eagle may migrate through the project area and may forage in the project area at any time of the year, but are expected to be infrequent visitors because the project area does not contain nesting or roosting habitat for bald eagles. No habitat for the other Federally-listed species--pallid sturgeon, whooping crane, interior least tern, or piping plover--occurs in the project area, but the three bird species may migrate through the project area and thus may be rare visitors during spring and fall. While it is possible that the Federally-protected bird species could collide with turbines or other project facilities, such collisions are expected to be an extremely rare event, first, because avian collisions with wind turbines are rare events, and second, because these species tend to migrate at heights well above the top of the rotor swept area.

Indirect impacts could occur if the project resulted in water depletions in the Platte River. The project would use an estimated 0.2 acre-feet per year from the Platte River system. The USFWS has published a biological opinion that states "Federal agencies should continue to conclude that each action resulting in a depletion of 25 acre-feet or less per year to the Platte River system may adversely affect the whooping crane, interior least tern, piping plover, and/or pallid sturgeon, designated whooping crane critical habitat, and proposed piping plover critical habitat." No mitigation is required because the U.S. Forest Service and the USFWS have provided funds to the Fish and Wildlife Foundation account for the purposes of offsetting the adverse effects of Federal agency actions resulting in minor water depletions, such as the Spring Canyon Wind Project. Based on the above, Western has concluded that the project may affect but is not likely to adversely affect the bald eagle, and that it may adversely affect the whooping crane, interior least tern, piping plover, and/or pallid sturgeon, designated whooping crane critical habitat, and proposed piping plover critical habitat. Based on this determination and the USFWS's Biological Opinion and concurrence dated June 7, 2005, Western has concluded that the proposed project would not cause a significant direct, indirect, or cumulative impact to any threatened or endangered species.

The project area's shortgrass prairie, Conservation Reserve Program (CRP) lands, and/or agricultural fields provide suitable habitat for burrowing owl, ferruginous hawk, long-billed curlew, mountain plover, peregrine falcon, sandhill crane, black-tailed prairie dog, northern pocket gopher, and swift fox.

SCE has designed the project to avoid the area's black-tailed prairie dog colonies, so burrowing owl nests would not be directly impacted. Burrowing owls utilize prairie dog burrows for nesting. Nesting burrowing owls may be displaced from nests by construction noise and human activity in areas adjacent to the colony during construction; however, construction would be delayed within 225 feet of known nest burrows after the nesting season (July 31). During operation, impacts to burrowing owls could include mortality due to collisions with vehicles or wind turbines. Since burrowing owls are mobile, collisions with vehicles are unlikely, and since SCE will use state-of-the-art turbines with tubular towers and slow-turning rotors, mortalities during and after construction are anticipated to be rare events.

No active ferruginous hawk nests are known to occur in the project area in 2005, so Phase I construction would not impact nesting ferruginous hawks. If ferruginous hawks nest in the area during construction of future phases, impacts could include nest abandonment and the resultant loss of eggs or chicks. SCE would conduct a raptor nest survey prior to construction of subsequent phases and any active nests would be avoided by 0.5 mile until the chicks have fledged or the nest fails. Ferruginous hawks may be displaced from the project area due to construction noise and human activity but are expected to resume the use of project area habitat after construction is complete. Operational impacts would include the potential for mortality due to collisions with turbines and overhead lines, but with the use of modern turbines and proper line design, mortalities are expected to be rare events.

Impacts to long-billed curlew during construction could include nest abandonment due to noise and human activity, nest destruction by vehicles or during excavation, and mortality of individuals due to collisions with vehicles. Since much of the project area is tilled annually and only a small acreage of untilled ground would be disturbed, the potential impact to long-billed curlew nests is low. Since long-billed curlews are mobile, potential for collisions with vehicles is also low. Operational impacts could include mortality due to collisions with turbines and overhead lines, but, as described for ferruginous hawks above, mortalities are expected to be rare events.

Impacts to mountain plover during construction could include direct mortality due to collisions with vehicles, inadvertent nest destruction, and displacement from habitat due to noise and human activity. Impacts during operation could include direct mortality due to collisions with vehicles and overhead lines and inadvertent nest destruction, particularly if mountain plover elect to nest on turbine pads or along access roads and rights-of-way, which they tend to do. Employees would be instructed on how to identify mountain plover and to avoid driving in areas where plover are seen until the area has been inspected for nests by a qualified biologist. Operational impacts could also include mountain plover collisions with turbines. However, because mountain plover tend not to fly and typically fly close to the ground when they do fly, and because only 1 mile of overhead power lines would be built, collision-related mortalities should be minimal. During courtship, mountain plover fly to heights of about 15 to 30 feet, hold their wings in a deep "V" position, and float slowly to the ground; even during this display, mountain plovers would be well below the lowest reaches of the rotors (135 feet).

Peregrine falcon may be rare visitors to the project area, so both construction and operation impacts are expected to be minimal.

Sandhill cranes may migrate through the project area and may stop to feed in agricultural fields in the project area. Impacts during construction would include displacement from potential resting and feeding areas, but this impact is expected to be minimal because there are abundant agricultural fields throughout the region that could provide these functions. Impacts during operation could include sandhill crane mortality due to collisions with turbines and overhead lines. Sandhill cranes typically migrate at heights well above 400 feet and thus would only be affected if taking off or landing on or near the site during resting/feeding stopovers, or if they are

forced down during bad weather. With the use of modern turbines, the potential for mortality is expected to be low.

SCE has designed the project to avoid any surface disturbance in black-tailed prairie dog colonies, so black-tailed prairie dogs would not be impacted by the project with the exception of the potential for vehicle-related mortality.

Construction impacts to northern pocket gopher could include mortality due to collisions with vehicles and inadvertent destruction of burrows during excavation. Because pocket gophers rarely venture aboveground, mortality due to collisions is unlikely. Since much of the project area is tilled annually and since the project footprint in untilled land would be small, the potential for destruction of burrows is low. During operation, some habitat would be lost for the life-of-project; there would also be potential for collisions with vehicles for the life-of-project. Potential impacts are expected to be low.

Swift fox are probably rare visitors to the project area, and thus potential for impacts to this species is low.

Based on Western's and SCE's proposed environmental protection measures and the commitment to monitor post-construction avian mortality, Western has concluded that construction and operation of the wind project would not result in direct, indirect, or cumulative significant impacts to State-listed species.

Cultural Resources: Nine historic and 14 prehistoric sites were recorded within the project footprint during the Class III cultural resources inventory for the Spring Canyon Wind Project; however, none of the sites is recommended as eligible to the National Register of Historic Places (NRHP). No Traditional Cultural Properties (TCP) were identified during the inventory. Because the sites are recommended as not eligible for the NRHP, it is unlikely that construction activities would effect cultural resources entitled to legal protection. If a previously undiscovered site or TCP is exposed and discovered during construction, all activity would be halted, and the site would be evaluated by Western. This standard approach to handling unanticipated discoveries within the project area would reduce the significance of potential impact to cultural resources.

Land Use, Transportation, and Recreation: Land use within the project area is primarily agricultural, with dryland wheat and millet the principal crops. Large areas of CRP land also occur in the project area. A few areas of native prairie, used for livestock grazing, also occur. Other land uses include transportation (roads and pipelines), power transmission, residential use, and recreation (big game and pheasant hunting). Colorado State Highway 113 on the western side of the project area and an extensive network of gravel-surfaced county roads has been constructed throughout the project area. There are no State or National Parks, wild and scenic rivers, or other areas of recreational, scenic, or aesthetic importance in the project area. All existing land uses would continue as they are prior to development, with the possible exception of hunting which would be precluded in the vicinity of wind turbines, transformers, and other facilities that could be damaged by ammunition fired during hunting. This may have a minor effect on a landowner's income, as well as the recreational use of the area by hunters--the income impacts would be more than offset by the rent paid by SCE.

Traffic will increase on the roads leading to and within the project area during the construction stage as equipment is transported into the area. Large pieces of equipment such as rotor blades are over-sized loads that may temporarily slow traffic as they are moved into the project area. This additional heavy traffic would also cause additional wear on existing roads, but transportation would be conducted in accordance with Colorado Department of Transportation Regulations and, thus, adverse impacts to roads is not anticipated. The increase in traffic would not cause a major change in the transportation network in the project area.

Based on the analysis presented in the EA, Western has concluded that no direct, indirect, or cumulative significant impacts to land use, transportation, or recreation would occur due to construction or operation of the Spring Canyon Wind Project.

Public Health and Safety: Public access to private lands is already restricted by landowners and would continue to be restricted in accordance with easement agreements. Existing safety hazards would include traffic on county roads and Highway 113, potential for fires, and possible accidents related to agricultural activities. No public safety issues have arisen from the existing wind project west of Peetz. There are approximately eight school bus stops within the project area and one on Highway 113. Potential public health and safety impacts could include the following:

- traffic accidents,
- traffic accidents involving the railroad crossing in the town of Peetz,
- unanticipated fires,
- electrocution from high voltage equipment,
- interference with school buses or emergency vehicles, and
- electromagnetic interference (EMI) with local aircraft radar or television signals.

Truck drivers, construction workers, residents, and any visitors to the project area would be expected to obey traffic laws. All drivers would be expected to exercise caution when crossing the at-grade railroad crossing in the town of Peetz. All fires would be extinguished immediately by SCE personnel, if there is no danger to life or limb, and the appropriate landowner and the county sheriff's department would be notified immediately. Some fire-fighting equipment would be located in vehicles and in the O&M facility. The substation would be fenced as required for public safety, and safety signing would be posted around all towers, where necessary, transformers, and other high voltage facilities, and along roads, in conformance with applicable State and Federal regulations. All project-related drivers would be instructed to yield to school buses and emergency vehicles. In the event that the project results in impact to radar, microwave, television, or radio transmissions, SCE would work with the owner of the impacted communication system to resolve the problem. The proposed project would meet all appropriate Federal Aviation Administration criteria, so no adverse impacts to aviation would be expected. With the implementation of this mitigation, Western has concluded that the Spring Canyon Wind Project would not result in direct, indirect, or cumulative significant impacts.

Noise: Noise-sensitive receptors within the project area are residences and wildlife. SCE has designed the project so that all turbines are approximately 1,000 feet from the nearest residence. The proposed substation would be located about 2,000 feet from the nearest residence.

Construction noise will be moderate, probably disrupting residents and wildlife during construction hours, but temporary and similar to noise present as a result of the operation of agricultural equipment throughout the project area. SCE will minimize construction noise impacts by ensuring that construction equipment is maintained and properly muffled, limiting the amount of equipment on-site to that which is necessary for construction, and limiting construction activities to daytime hours.

Noise impacts associated with operations are expected to be minimal to humans. Both the nearest residence and the nearest known fixed raptor nest are approximately 900 feet from the nearest wind turbine, so wind turbine noise levels would be about 40 dBA, similar to rural night-time ambient noise levels. Burrowing owls are nesting within 400 feet of the substation and within 360 feet of the nearest turbine, but these nest locations may vary considerably over the course of the project. SCE will use state-of-the-art turbines that have been designed to minimize noise levels. Substations emit both transformer noise and switchgear noise; however, substation noise levels at the nearest residence and nearest known raptor nest would be below ambient levels. Western has concluded that because wind turbine and substation noise would be at or below ambient levels at the nearest residences, noise impacts to residents and wildlife would not be significant.

Visual resources: The area exhibits a typical rural setting with both occupied and abandoned farmsteads scattered along gravel roads throughout the landscape, which is a mixture of tilled and CRP agricultural fields and native grassland used as pasture. Many farmsteads have shelterbelts around the perimeter. Buildings within Peetz, particularly the grain elevators, dominate the view west of the project area, and the landscape already has a significant wind power component in the existing wind project west of Peetz. Wind turbines, the substation, the O&M facility, and the overhead collection line are examples of changes to public viewing that would result from the proposed project. Because the area already has wind towers and grain silos, and contains no unique or highly sensitive landscape features, the proposed project would not significantly impact visual resources.

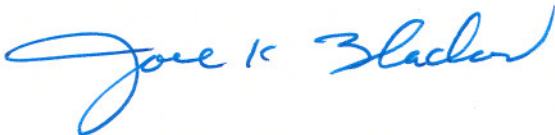
Socioeconomics and Environmental Justice: The project area is located in a rural, agricultural area east of Peetz, in Logan County, Colorado. Approximately 20 workers per day for 180 days would be required for wind project construction. Substation construction would require approximately five workers for 90 days. Reclamation would require about four workers for 30 days. Most construction workers are expected to commute from Sterling, Colorado; Sidney, Nebraska; and possibly Cheyenne, Wyoming, and surrounding areas. Specialty construction workers, with specific wind power construction experience, would come from out of state.

Because additional workers would be in the area and because there would be an increase in traffic, the project would result in small increases in need for additional law enforcement; however, no public safety issues were noted during construction of the existing wind project west of Peetz.

The project would generate sales and use taxes for goods and services purchased during construction and operation. It would also provide property taxes to the town of Peetz and to Logan County. All of these impacts would be beneficial to the affected towns/cities, to Logan County, and to the State of Colorado. Logan County and the City of Sterling are low-income communities in the area of potential effect, but the project is expected to generate revenue needed by the county and the city, so no adverse effects to low-income communities would occur. Furthermore, the project would generate revenue for the private landowners on whose land the project is located, further benefiting the area's economy.

Determination -- The analyses contained in the EA document that the proposed action is not a major Federal action significantly affecting the quality of the human environment. Therefore, Western has determined that preparation of an EIS is not required.

Issued: JUN 13 2005



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